

REMARKS

The comments of the Examiner as set forth in the official office action of November 7, 2003 have been carefully studied and reviewed. In this response new claims 42-44 have been added, claims 1, 11, and 17 have been amended, and claims 15 and 18 have been canceled without prejudice. For the reasons set forth below it is respectfully urged that all claims in the present application are in condition for allowance and allowance is respectfully requested.

First, the Examiner has rejected claims 22-32 under 35 USC §112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements. It is respectfully urged that claims 22-32 are not properly rejected under Section 112. Claim 22 defines a wire directional control device for receiving the wire and engaging the wire in such a manner that the wire can move through the device in one direction, but is prohibited from moving through the device in a direction generally opposite the one direction. There is nothing vague or indefinite about this claim. The claim does indeed particularly point out and distinctly claim what Applicants consider to be their invention. The question that is presented here is one of claim scope. Certainly the claim could be drafted narrower, but that is not a reason for imposing a Section 112 rejection so long as the claim is not vague or indefinite. The Examiner is respectfully requested to reconsider this rejection.

Also, in claims 31, 32, and 37 the Applicants have used the term "aggressive" to describe a surface of a roller. Again, this term has to be viewed in the context of the application including the drawings. See particularly page 17, lines 19-24 of the specification. Aggressive as used herein simply means that the surface of the roller includes a surface that tends to grip. As an example, the specification says that the rollers 566 and 568 include a series of lines or fine like gear teeth that tend to engage the cable or wire 12. For the reasons stated it is respectfully urged that the term "aggressive" as used in the claims is not vague or indefinite.

Claims 1-21 stand rejected under 35 USC §102 (b) as being anticipated by Pietroni, U.S. Patent No. 3,980,244. Under 35 USC §102, every element or limitation of a claim must identically appear in a single prior art reference for it to anticipate the claim. *In re Bond*, 910 F.2d 831, 832 (Fed. Cir. 1990). Further, anticipation requires that the single prior art reference disclose every element of the claimed invention arranged in the same manner as claimed. *Lindemann Maschinenfabrik v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1458 (Fed. Cir. 1984).

In determining if a claim is anticipated, it is fundamental that the claim first be correctly construed. That is, the scope and meaning of each contested limitation must be determined. *Gechter v. Davidson*, 116 F.3d 1454, 1457 (Fed. Cir. 1997); *In re Paulsen*, 30 F.3d 1475, 1479 (Fed. Cir. 1994). Thereafter, corresponding elements of the allegedly anticipating reference are identified. *Lindemann* at 1458. In the end, there can be no anticipation unless each and every element and limitation of the claimed invention, as properly construed, is found in the single prior art reference.

It is acknowledged that Pietroni does disclose a wire winding machine having a traverse that does indeed move in a generally arcuate manner. However, one of the differences between Pietroni and the present invention as disclosed, is that the traverse of Pietroni moves outside of the axis of the two mandrels 2a and 2b. See Figure 5, for example, where the traverse 24 or 25 is disposed far to the right-side of the right mandrel, certainly outside of the axis of rotation of the right most mandrel. In Applicant's invention, as claimed in claim 1, the traverse is confined to move only between the axes of rotation of the two mandrels. This is specifically set forth in claim 1 as now amended. For the reasons set forth above, it is urged that claim 1 and the claims depending there from are in condition for allowance.

Claim 11 has been amended to include the recitations found in former claim 15. Claim 15 has now been canceled. In that claim the wire winding machine was said to include a traverse frame that comprises a generally rectangular closed frame that includes at least four

members interconnected with the individual members being disposed at generally right angles to adjacent members. The Examiner is referred to Figure 7 of the drawings and particularly to the four members that form the rectangular closed frame, that is member 534, 536, 538, and 540. There is no such traverse frame structure in the Pietroni patent. The traverse frame structure is that shown in Figures 1, 2, 3 and 5. Nowhere does the Pietroni patent disclose a traverse frame for supporting the traverse that is comprised of these four members interconnected at generally right angles to form the rectangular closed frame defined in claim 11. For the foregoing reasons it is respectfully urged that claim 11 and the claims depending there from are in condition for allowance.

Claim 17 has been amended to include the limitations formally appearing in claim 18, which has now been canceled. Now claim 17 defines a method of winding wire onto two mandrels where the specific step of confining the traverse between the axes of the two mandrels forms a part of the claimed invention. As discussed above, in the Pietroni patent, the traverse moves well outside of the two axes of the mandrels. Consequently, claim 17 and the claims depending there from are in condition for allowance and allowance is respectfully requested.

Claims 22-37 stand rejected under 35 USC §102(b) as being anticipated by Hurst, U.S. Patent No. 4,892,262. It is the Examiner's position that the Hurst device shows a wire directional control device for receiving wire being directed to the mandrel and engaging the wire in such a manner that the wire can move through the device in only one direction and is prevented from moving through the device in the opposite direction. The Examiner indicates that this is disclosed in column 5, lines 20-38 of the Hurst patent. Applicants respectfully disagree. Viewing Figure 7 of the Hurst patent, there is shown therein a wire tensioning device that comprises rollers 90, 92 and 94. These rollers do not prevent the cable 66 from being moved in either direction. They are what the specifications say they are - they are a cable tensioner which tensions the cable 66 in both directions.

Column 5, lines 20-38 of Hurst have been carefully studied and reviewed. This portion of the Hurst specification simply describes a cable tensioner, not a one way directional control device. There is nothing found in this portion of the Hurst specification, or any portion of the Hurst specification for that matter, that teaches a wire directional control device for enabling the wire to move through the device in one direction, but to prohibit the wire from moving through the device in the opposite direction. For the reasons set forth above, it is respectfully urged that claims 22-37 define patentable subject matter over the Hurst patent.

It is believed that this response places the application in condition for allowance and allowance is respectfully requested.

Respectfully submitted,

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Name: Kathy L. Stehle

Date: 4/7/2004

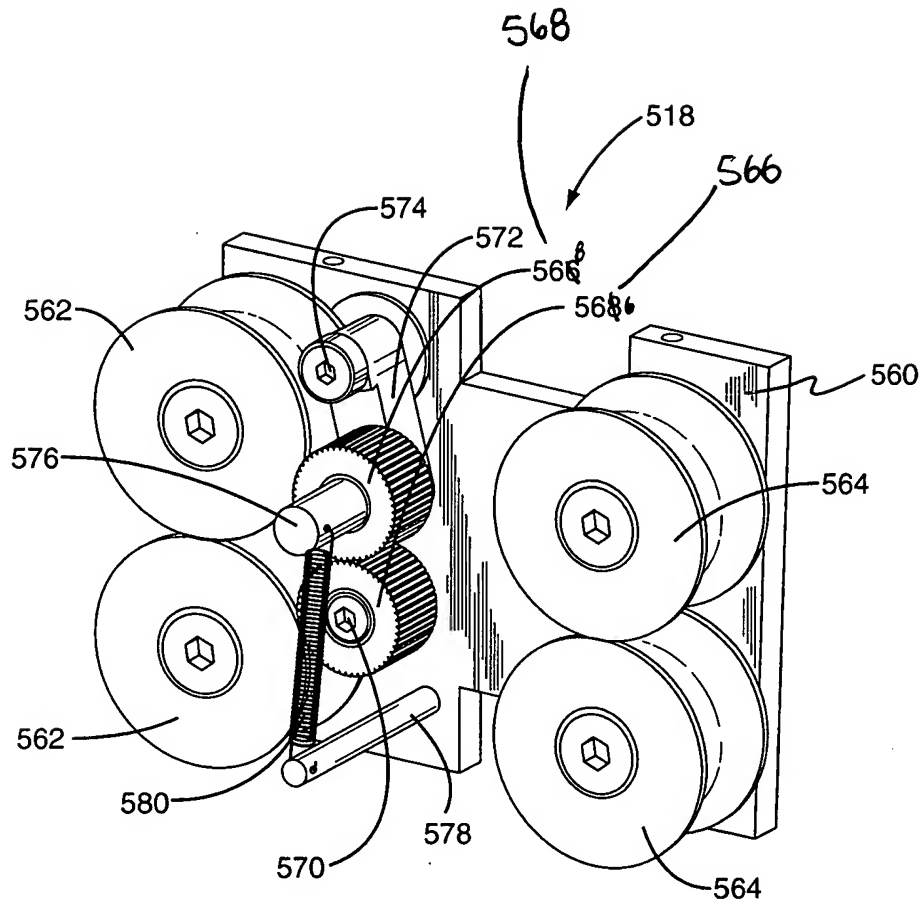


FIG. 8A